

REMARKS/ARGUMENTS

In view of the following remarks, reexamination and reconsideration of this application, withdrawal of the rejections, and formal notification of the allowability of all claims as presented are earnestly solicited. Claims 1-15 and 26-36 are pending. In response to the Office Action, Claims 4-7, 9-12, 29-31, 32-35 have been amended. Please note that Claim 32* (highlighted in the Office Action) has been renumbered as Claim 33, such that Claims 33-35 have been further renumbered as Claims 34-36. The amendments to the claims find support throughout the Specification and the Drawings, and no new matter has been added. Accordingly, it is believed that the pending claims now further define patentable subject matter over the references cited by the Examiner and notice to such effect is requested at the Examiner's earliest convenience.

Specification Objections

The Office Action indicates that the as-filed Specification is objected to "as failing to provide proper antecedent basis for the claimed subject matter." Specifically, the Office Action indicates that "correction of the following is required: [1] the gripping means being a hard granular material (claims 5 and 30); [2] the arc length of each of the arcuate locking members being at least 15 degrees with respect to the axis (claims 9 and 32*); [3] the suspending step (claim 29); [and] [4] 'adjusting the slope...' (claim 32)." In response, the specification has been amended as shown herein to include the above elements [1]-[4]. These amendments find support throughout the as-filed specification such as, for example, in the as-filed Claims 5, 9, 29, 30, 32, and 32*. Accordingly, no new matter has been added.

Claim Objections

The Office Action indicates that Claims are objected to for a number of indicated informalities. In response, the Claims have been amended in accordance with the suggestions of the Examiner and the Applicants respectfully submit that the amended Claims are free of the indicated informalities. Applicants thus respectfully request that the Examiner withdraw the pending objections to the Claims.

Claim Rejections – 35 U.S.C. §112

The Office Action indicates that Claims 1-14, 26-32, 32* and 33-35 have been rejected under 35 U.S.C. §112, second paragraph “as being unclear for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.” In response Claims 1-7, 9-12, 14 and 26 -35 have been amended in accordance with the suggestions of the Examiner. As such, Applicants respectfully submit that the amendments of Claims 1-7, 9-12, 14 and 26 -35 serve to overcome the pending rejections under 35 U.S.C. §112, second paragraph.

Double Patenting

Claims 15-25 and 36-44 have been cancelled in accordance with Examiner’s suggestions. As such, Applicants respectfully submit that the cancellation of Claims 15-25 and 36-44 serve to overcome the pending double patenting issue indicated in the Office Action.

Claim Rejections – 35 U.S.C. §102

The Office Action indicates that Claims 1, 5, 6, 9, 14, 26, 30, 31, 32, 32*, 34, and 35 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2004/0232700 A1 to Jones (“Jones”). In response, Claim 26 has been amended to recite a **“restraining portion that surrounds the outer surface of the male piping member substantially outside of the sealing cavity.”** Furthermore, Applicants respectfully traverse the rejections of Claims 1, 5, 6, 9 and 14 as discussed herein.

Independent Claim 1 specifically recites “a restraining portion that surrounds the outer surface of the male piping member **substantially outside of the sealing cavity.**” Furthermore, independent Claim 26 has been amended to recite a corresponding **“restraining portion that surrounds the outer surface of the male piping member substantially outside of the sealing cavity.”** The recitations added to independent Claim 26 find support throughout the as-filed Specification and Figures such as, for example, at Figure 1, element **430**. Thus, the recited apparatus (see Claim 1, for example) and method (see amended Claim 26, for example) for sealing and axially securing a male piping member within an adjoining bell socket provide: (1) a sealing portion that is seated within the sealing cavity defined by the bell socket; and (2) a

restraining portion that is positioned **substantially outside of the sealing cavity**, such that the interaction of the sealing portion with the sealing cavity is substantially uninterrupted about the outer surface of the male piping member by articles such as ring segments (53) in Jones.

In contrast, Jones discloses ring segments (53) that are positioned substantially **within** a retainer groove (17). See Jones, Figures 2 and 4. Applicants respectfully submit that for a rejection to be proper under 35 U.S.C. §102(e), the cited reference must teach **every** element of the claim. See MPEP §2131. Jones instead discloses ring segments that are **integrally molded within the sealing portion** (see Jones, Figure 6, for example) such that the ring segments are necessarily positioned substantially **within** the retainer groove. In another embodiment, Jones discloses a gripping segment (68) disposed adjacent to the sealing portion such that the gripping member is disposed substantially **within** the retainer groove (see Jones, Figure 10, for example).

Thus, Applicants submit that independent Claim 1 and amended independent Claim 26 are **not anticipated** by Jones under 35 U.S.C. §102(e). Applicant respectfully submits that the cited reference **does not disclose, teach, or suggest** “a restraining portion that surrounds the outer surface of the male piping member **substantially outside of the sealing cavity**” as recited in independent Claim 1 and amended independent Claim 26. In addition, Applicants respectfully submit that the pending Claims 5, 6, 9, 14, 30, 31, 32, 32*, 34, and 35 **depending respectively from** independent Claims 1 and 26 are patentably distinct from the cited references for at least the reasons stated above.

Claim Rejections – 35 U.S.C. §103

The Office Action further indicates that Claims 7, 8, 10, 11-13 and 33 have been rejected under 35 U.S.C. §103(a) as being obvious over Jones. Applicant respectfully submits that Claims 7, 8, 10 and 11-13 (depending from Claim 1) and Claim 33 (depending from amended Claim 26) are patentable for at least the reasons stated above because Jones **does not teach or suggest** the limitations of independent Claim 1 and amended independent Claim 26 upon which Claims 7, 8, 10, 11-13 and 33 depend. Thus, Applicant submits that Claims 7, 8, 10, 11-13 and 33 are not obvious over Jones under 35 U.S.C. §103(a) for at least the reasons stated above.

CONCLUSION

In conclusion, Jones **does not** teach, suggest, or provide motivation for the embodiments of the present invention, as now claimed in independent Claims 1 and 26, and the claims depending therefrom. Accordingly, in view of the above differences between the Applicants' invention and the cited reference, the Applicant submits that the present invention, as defined by the pending claims, is patentable over the references cited in the Office Action. As such, for the reasons set forth above, Claims 1-14 and 26-36 are believed to be in condition for immediate allowance and notice to such effect is respectfully requested at the Examiner's earliest opportunity.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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